



**Livestock and Seed Program
Audit, Review, and Compliance Branch
Quality System Audit Report**

Applicant: Oklahoma Department of Agriculture (ODA)
Program : National Organic Program – Accreditation for Organic Certification
Organizations – 2004 On-site Audit Corrective Action Review - Desk Audit
Location(s): Oklahoma City, OK
Audit Date(s): September 2-3, 2004
Audit File Number: NP4131BA
Action Required: No
Auditor(s): Martin Friesenhahn
Contact & Title: Chad Goss, Organic Coordinator
E-mail Address: cbgoss@oda.state.ok.us

AUDIT ACTIVITIES

On September 2-3, 2004, a representative of the USDA, AMS, LS Audit, Review, and Compliance (ARC) Branch conducted a review of corrective actions submitted by the Oklahoma Department of Agriculture (ODA) Organic Certification Program, Oklahoma City, OK, to verify continued compliance to the USDA, AMS 7 CFR Part 205, National Organic Program (NOP). The corrective actions were in response to the non-compliances identified during the on-site audit conducted on May 10-12, 2004.

Corrective actions were submitted by ODA and received by the ARC Branch Office on July 27, 2004. The corrective actions included a letter dated July 20, 2004 addressing the five Minor non-compliances. Corrective actions also included a revised certificate and ODA Producer Application.

FINDINGS

The review found that the corrective actions submitted by ODA adequately addressed the five Minor non-compliances.

NP4131BA.NC1 – Minor – Adequately Addressed - 205.201(a)(1) - Organic production plan requires the organic production or handling system plan to include a description of practices and procedures to be performed and maintained, including the frequency with which they will be performed and **205.201(2)** requires a list of each substance to be used as a production or handling input, indicating its composition, source, *The information required by ODA for the Producer Application did not provide for enough detail in certain areas to meet these requirements of the NOP. For example, the application included limited information on inputs and equipment used, and did not include information on seeds and planting stock.* **Submitted Corrective Action:** A revised (Rev. 7-04) ODA Producer Application was submitted by the ODA. The revised ODA Producer Application included three additional sections covering seed and planting stock, equipment and facilities to prevent contaminating organic fields, and for other inputs used.

NP4131BA.NC2 – Minor – Adequately Addressed - 205.402(a)(1)(2) - Review of application requires the review of the application to ensure completeness and determine whether the applicant appears to comply or may be able to comply with the NOP Rule. *In some cases the review of the application was not complete enough to determine the potential for compliance to the NOP Rule. A review of files during the audit indicated that inspections were scheduled on several files that did not contain enough*

information to demonstrate compliance to the NOP Rule in areas such as crop rotation, manure and compost use, equipment use, and labeling. **Submitted Corrective Action:** The corrective actions submitted by ODA dated July 20, 2004 stated that the Organic Section has implemented a Producer/handler Sheet to record phone calls, documentation, and pertinent information regarding the review of the application and in determining compliance. Also, the revised Producer Application included additional information by the producer to ensure compliance to the NOP Rule.

NP4131BA.NC3 – Minor – Adequately Addressed - 205.404(b)(2) – Certificates requires certifying agents to issue certificates that include the effective date of certification and **205.404(c)** - ...certification continues in effect until surrendered by the organic operation, suspended or revoked... *The updated certificates issued by ODA did not leave the effective date first certified to the NOP. In addition, the document designated by ODA as the supplemental certificate had a time period which would indicate that the certificate expires.* **Submitted Corrective Action:** ODA submitted a revised certificate that now included the effective date and applicable information required by the NOP Rule.

NP4131BA.NC4 - Minor – Adequately Addressed - 205.404(a) requires that certification decisions be based on compliance with the regulation. *The Oklahoma Department of Agriculture Organic System Handling Plan for crops includes a statement requesting that the results of soil analysis be attached to the application. In addition, a letter issued to Circle Bar Ranch, Inc. required the applicant to perform a soil analysis. The Certifying Agent cannot require applicants for NOP certification to perform soil analysis.* **Submitted Corrective Action:** A revised (Rev. 7-04) ODA Producer Application was submitted by the ODA. The soil testing requirement was removed from the ODA Producer Application. The corrective actions also mentioned that Circle Bar Ranch was notified that the soil tests were not required.

NP4131BA.NC5 – Minor – Adequately Addressed - 205.662 – Non-compliance procedure for certified operations requires the certifying agent to issue a written notice of non-compliance when an inspection, review, or investigation reveals any non-compliance. *Interviews with the Section Director, Organic Food Coordinator and the inspector indicated that certificates had been issued without any minor non-compliances. Interviews further indicated, along with the observation of the The Family Farm inspection, that conditions are presented at times during the exit interview that could be considered as minor non-compliances and should include written notices of non-compliances. Also, during the observation of the The Family Farm inspection, the inspector mentioned that ODA would not be able to certify inedible flowers that were listed on the application but the condition to remove from the production plan was not mentioned during the exit interview.* **Submitted Corrective Action:** The corrective actions submitted by ODA dated July 20, 2004 stated that the Organic Section is doing a more extensive review on applications, inspections, and investigations to make sure written non-compliance letters are issued when non-compliances are identified. The certificates are now issued with minor non-compliances as applicable. The Family Farm was also issued a notice of non-compliance for crop rotation and issued a certificate that did not include inedible flowers.

RECOMMENDATIONS

It is recommended that ODA's accreditation be continued with surveillance by appropriate members of the United States Department of Agriculture. The effectiveness and implementation of the corrective actions should be verified during the next annual update review.